

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE	)	
INTEL CORP. MICROPROCESSOR	)	
ANTITRUST LITIGATION	)	MDL Docket No. 05-1717-JJF
	)	
ADVANCED MICRO DEVICES, INC., a	)	
Delaware corporation, and AMD	)	
INTERNATIONAL SALES & SERVICE LTD,	)	
a Delaware corporation,,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No. 05-441-JJF
v.	)	
	)	
INTEL CORPORATION, a Delaware	)	DM _____
corporation, and INTEL KABUSHIKI KAISHA,	)	
a Japanese corporation,	)	
	)	
Defendants.	)	

**DECLARATION OF DEWEY OVERHOLSER**  
**IN SUPPORT OF AMD'S MOTION TO COMPEL**

I, Dewey Overholser, declare as follows:

1. I am employed by AMD, Inc. in the position of Master Product Control Planner, and I work out of one of AMD's Austin, Texas facilities. I am responsible for developing capacity plans from sales forecasts using data concerning engineering yields and factory cycles. I also gather information and prepare other reports for my group including analyses of billings, backlog and inventory.
2. As part of my employment, I have access to various AMD databases. One is the PBDM, which was AMD's primary data warehouse for sales-related reporting from about 1999 to August 2004. The PBDM database has been frozen as of August 2004 and continues to be the primary database for reporting historical sales data. This database was prepared and is maintained in the ordinary course of AMD's business.

3. I generated a spreadsheet from the PBDM database for purpose of identifying all sales made of microprocessors manufactured at AMD's Fab 25 in Austin, Texas from 2002 through the present. From my analysis of that report, I have determined that AMD sold very substantial quantities of Fab 25-produced microprocessors to its customers during calendar years 2002 and 2003, amounting to almost \$388 million in 2002 and almost \$40 million in 2003. Some Fab 25-produced microprocessors were also sold in 2004, but in very limited quantities. AMD made its final 2004 sale on May 7, 2004; its final export sale was made on April 16, 2004.

4. During this entire period, Fab 25 supplied both foreign customers and those located in North America. But most Fab 25 product was sold into the export market. The following table provides a percentage breakdown by quarter:<sup>1</sup>

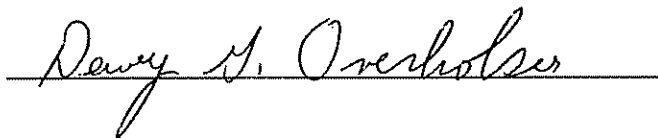
		% Export	% N. America
2002	1Q	75%	25%
	2Q	73%	27%
	3Q	75%	25%
	4Q	64%	36%
2003	1Q	65%	35%
	2Q	92%	8%
	3Q	7%	93%
	4Q	0%	100%
2004	1Q	0	100%
	2Q	2%	98%

5. I have also reviewed a series of reports calls "Actuals Packages," which is a summary of fab data that AMD generates quarterly from production databases it maintains in the ordinary course of its business to track microprocessor manufacturing. According to these reports, even after AMD Fab 30 came on line in 2000, Fab 25 continued to be an important

source of microprocessors for the Company. For the calendar years 2000, 2001 and 2002 Fab 25 produced microprocessors in the following numbers: 30,733,000, 22,267,000 and 8,565,000. Fab 25 continued to manufacture K-7 microprocessors through the fourth quarter of 2002, when it was taken out of microprocessor production.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26 day of October, 2006, at Austin, Texas.

A handwritten signature in cursive script, reading "Dewey D. Overholser", is written over a horizontal line.

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<sup>1</sup> The export percentages are somewhat understated since AMD's North American data include sales to Canada, which should rightly be included in the export column. The PBDM database does not separately break out U.S. sales.

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**CERTIFICATE OF SERVICE**

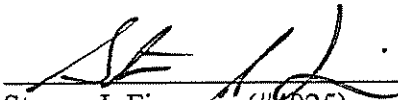
I hereby certify that on October 30, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and have sent by Hand Delivery to the following:

Richard L. Horwitz, Esquire  
Potter Anderson & Corroon LLP  
1313 North Market Street  
P. O. Box 951  
Wilmington, DE 19899

and have sent by Federal Express to the following non-registered participants:

Darren B. Bernhard, Esquire  
Howrey LLP  
1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2402

Robert E. Cooper, Esquire  
Daniel S. Floyd, Esquire  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, California 90071-3197

  
Steven J. Fineman (#4025)  
Richards, Layton & Finger, P.A.  
One Rodney Square  
P.O. Box 551  
Wilmington, Delaware 19899  
(302) 651-7700  
fineman@rlf.com